



General Assembly

February Session, 2014

Raised Bill No. 5061

LCO No. 178



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING UNINSURED MOTORIST COVERAGE FOR
BODILY INJURY TO A NAMED INSURED OR RELATIVE DURING THE
THEFT OF A MOTOR VEHICLE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 38a-336 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2014, and applicable to claims arising on or after said date*):

4 (a) (1) Each automobile liability insurance policy shall provide
5 insurance, herein called uninsured and underinsured motorist
6 coverage, in accordance with the regulations adopted pursuant to
7 section 38a-334, with limits for bodily injury or death not less than
8 those specified in subsection (a) of section 14-112, for the protection of
9 persons insured thereunder who are legally entitled to recover
10 damages because of bodily injury, including death resulting therefrom,
11 from owners or operators of uninsured motor vehicles and
12 underinsured motor vehicles and insured motor vehicles, the insurer
13 of which becomes insolvent prior to payment of such damages. [,
14 because of bodily injury, including death resulting therefrom.] Each
15 insurer licensed to write automobile liability insurance in this state

16 shall provide uninsured and underinsured motorists coverage with
 17 limits requested by any named insured upon payment of the
 18 appropriate premium, provided each such insurer shall offer such
 19 coverage with limits that are twice the limits of the bodily injury
 20 coverage of the policy issued to the named insured. The insured's
 21 selection of uninsured and underinsured motorist coverage shall apply
 22 to all subsequent renewals of coverage and to all policies or
 23 endorsements which extend, change, supersede or replace an existing
 24 policy issued to the named insured, unless changed in writing by any
 25 named insured. (A) No insurer shall be required to provide uninsured
 26 and underinsured motorist coverage to [(A)] (i) a named insured or
 27 relatives residing in [his] the named insured's household when
 28 occupying, or struck as a pedestrian by, an uninsured or underinsured
 29 motor vehicle or a motorcycle that is owned by the named insured,
 30 except as provided in subparagraph (B) of this subdivision, or [(B)] (ii)
 31 any insured occupying an uninsured or underinsured motor vehicle or
 32 motorcycle that is owned by such insured. (B) For each automobile
 33 liability insurance policy issued or renewed on or after October 1, 2014,
 34 an insurer shall not deny uninsured motorist coverage to a named
 35 insured or any relative residing in the named insured's household
 36 solely on the basis that the named insured or such relative was struck
 37 as a pedestrian by a motor vehicle or motorcycle, during the theft of
 38 such motor vehicle or motorcycle, that is owned by the named insured
 39 and listed as a covered motor vehicle on the named insured's policy.

40 (2) Notwithstanding any provision of this section, each automobile
 41 liability insurance policy issued or renewed on and after January 1,
 42 1994, shall provide uninsured and underinsured motorist coverage
 43 with limits for bodily injury and death equal to those purchased to
 44 protect against loss resulting from the liability imposed by law unless
 45 any named insured requests in writing a lesser amount, but not less
 46 than the limits specified in subsection (a) of section 14-112. Such
 47 written request shall apply to all subsequent renewals of coverage and
 48 to all policies or endorsements that extend, change, supersede or
 49 replace an existing policy issued to the named insured, unless changed

50 in writing by any named insured. No such written request for a lesser
 51 amount shall be effective unless any named insured has signed an
 52 informed consent form that shall contain: (A) An explanation of
 53 uninsured and underinsured motorist insurance approved by the
 54 commissioner; (B) a list of uninsured and underinsured motorist
 55 coverage options available from the insurer; and (C) the premium cost
 56 for each of the coverage options available from the insurer. Such
 57 informed consent form shall contain a heading in twelve-point type
 58 and shall state: "WHEN YOU SIGN THIS FORM, YOU ARE
 59 CHOOSING A REDUCED PREMIUM, BUT YOU ARE ALSO
 60 CHOOSING NOT TO PURCHASE CERTAIN VALUABLE
 61 COVERAGE WHICH PROTECTS YOU AND YOUR FAMILY. IF YOU
 62 ARE UNCERTAIN ABOUT HOW THIS DECISION WILL AFFECT
 63 YOU, YOU SHOULD GET ADVICE FROM YOUR INSURANCE
 64 AGENT OR ANOTHER QUALIFIED ADVISER."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014, and applicable to claims arising on or after said date</i>	38a-336(a)

JUD *Joint Favorable*

INS *Joint Favorable*